

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION

JASON ANDREW DUNN,

PLAINTIFF

V.

NO: 4:06CV35-D-B

JOHN DEAR, CHARLES HAND, "UNKNOWN WILLIS,  
"UNKNOWN" WESTMOORELAND, "UNKNOWN" WALKER,  
LINDSEY MEEKS & JOHN DOES 1-4,

DEFENDANTS

**ORDER DISMISSING CASE**

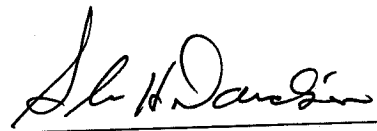
On consideration of the file and records in this action, a hearing having been conducted by the magistrate judge pursuant to 28 U.S.C. §636(b)(1)(B), Local Rule 72.D and *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985), the Court finds that the Report and Recommendation of the United States Magistrate Judge dated August 16, 2006, was on that date duly served by regular mail upon the *pro se* plaintiff; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated August 16, 2006, is hereby approved and adopted as the opinion of the Court.

2. That plaintiff's Complaint is hereby **DISMISSED without prejudice** pursuant to FED.R.CIV.P 41(a)(2).

THIS, the 9<sup>th</sup> day of August, 2006.

  
CHIEF DISTRICT JUDGE